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US EPA RECORDS CENTER REGION 5



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HSE-5J/ESS-SPCC
W33601

JAN 05 1995

Mr. Dennis Egan
Egan Marine Corporation
P.O. Box 669
Lemont, IL 60439

RE: DELINQUENT SPCC PLAN SUBMITTAL

Dear Mr. Egan:

An inspection of your facility by the United States Environmental Protection Agency (U.S. EPA) on October 20, 1994, indicated that your facility did not have a Spill Prevention, Control and Countermeasures (SPCC) Plan as required by Part 112 of Title 40 of the Code of Federal Regulations (40 C.F.R. Part 112). U.S. EPA sent you a certified letter, which was received at your facility on November 3, 1994, which requested you to take prompt action to prepare and implement an SPCC plan and come into compliance with the SPCC regulations pursuant to Sections 311(m) and 308(a) of the Clean Water Act, 33 U.S.C. §§ 1321(m) and 1318(a) within thirty (30) calendar days from the date of receipt of that letter.

U.S. EPA has not received a certified SPCC plan for your facility. Also, U.S. EPA has no record of you contacting us regarding this matter. You are currently operating your facility without an SPCC plan in violation of Section 311 of the Clean Water Act, 33 U.S.C. § 1321.

Violations of the SPCC regulations subject owners and operators of a facility to administrative penalties of up to \$10,000 per day (up to a maximum of \$125,000), or civil penalties of up to \$25,000 per day. Additionally, failure to respond to U.S. EPA's request for your facility's SPCC plan is a violation of the Clean Water Act and could subject you to administrative penalties of up to \$10,000 per day (up to a maximum of \$125,000), or civil penalties of up to \$25,000 per day.

You must submit a response which indicates when you expect to provide the U.S. EPA with your SPCC plan and bring your facility into compliance. If you do not respond within 20 days after receipt of this letter, your case will be referred to the Office of Regional Counsel for appropriate enforcement action.

Please send the materials to:

U.S. Environmental Protection Agency
Waste Management Division
Emergency Support Section (HSE-5J)
77 West Jackson Boulevard
Chicago, IL 60604-3590
Attn: Barbara A. Carr, Ph.D.
SPCC Coordinator

If you have any questions, please contact Ms. Carr at
(312) 886-7187.

Sincerely,

Richard Karl, Chief
Emergency and Enforcement Response Branch

cc: F. Gomez (CM-29A)

Z 411 900 399

Receipt for

B. CARR
#55-55

MR. DENNIS EGAN
EGAN MARINE CORPORATION
P.O. BOX 669
LEMONT, IL 60439

PS Form 38

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Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

